

Message Text

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ACTION NEA-10

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E.O. 11652: N/A
TAGS: OGEN SCUL JO US PFOR
SUBJECT: AMERICAN CENTER FOR ORIENTAL RESEARCH

REF: AMMAN 2491

1. AMBASSADOR DISCUSSED WITH PRIME MINISTER
QUESTION OF LEGAL ACTION TAKEN AGAINST AMERICAN
CENTER FOR ORIENTAL RESEARCH (ACOR) IN AMMAN (REFTEL).

2. PRIME MINISTER EXPLAINED THAT SUPREME COURT
HAD ACTED AND ITS DECISION WAS FINAL. PRIME
MINISTER HAD INSISTED THAT FULL COURT OF TEN
JUDGES RATHER THAN JUST A SINGLE BENCH OF HALF THAT
NUMBER ACT ON ABOVE CASE BECAUSE OF ITS WIDE-
RANGING IMPLICATIONS FOR FOREIGN COMMUNITY IN
AMMAN.

3. DECISION HAD ACTUALLY BEEN REACHED ON CASE
OF A YUGOSLAV COMPANY AND PRECEDENT APPLIED
SUBSEQUENTLY ON ACOR COURT CASE. PRIME MINISTER HAD
INDICATED THAT HE HAD ORDERED MINISTRY OF JUSTICE,
WHO CARRIES OUT EVICTION ORDERED BY COURT, TO STAY
AN EXECUTION OF EVICTION IN CASE OF ACOR FOR MAXIMUM
ALLOWABLE PERIOD OF THREE MONTHS.

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4. AMBASSADOR ASKED WHETHER NEW LEGISLATION WAS
CONTEMPLATED TO COVER WIDE NUMBER OF FOREIGNERS
NOW RENTING IN AMMAN WHOSE LEASES WERE IN EFFECT
DECLARED NULL AND VOID BY COURT ORDER. PRIME
MINISTER SAID COUNCIL OF MINISTERS, WHICH ACTS AS
LEGISLATURE IN LIEU OF PARLIAMENT NOW
DISSOLVED, INTENDED SHORTLY TO PASS NEW LEGISLATION

REVALIDATING ALL LEASES HELD BY FOREIGNERS ON EXACTLY SAME BASIS AS LEASES CURRENTLY HELD BY JORDANIANS. UNFORTUNATELY, ACOR CASE HAD BEEN DECIDED AND THERE WAS NO CONSTITUTIONAL WAY WHICH JORDANIAN EXECUTIVE COULD ACT TO SAVE CURRENT ACOR LEASE.

5. AMBASSADOR POINTED OUT FACT THAT VERY SIGNIFICANT PORTION OF FUNDING FOR ACOR COMES FROM U.S. GOVERNMENT, THAT THE ISOLATION OF ACOR AND ONE OTHER COMPANY AS THE ONLY "VICTIMS" OF THIS PARTICULAR ACTION SET AN EXTREMELY BAD PRECEDENT FOR THE EQUITY ELEMENTS IN JORDANIAN JUSTICE, AND THAT THIS WOULD BE A DIFFICULT ISSUE TO EXPLAIN IF THE QUESTIONS WERE EVER TO BE RAISED CONCERNING POSSIBLE DISCRIMINATION AGAINST FOREIGNERS AND PARTICULARLY AMERICANS.

6. PRIME MINISTER SAID THAT HE UNDERSTOOD CONCERNS AND HE HAD SEARCHED THOROUGHLY FOR POSSIBLE MEANS WITHIN JORDANIAN CONSTITUTION TO PROTECT ACOR LEASE. HE HAD NOT BEEN ABLE TO FUND ANY AFTER HAVING CONSULTED WITH MINISTRY OF JUSTICE AND WITH NUMBER OF LAWYERS IN AND OUT OF THE GOVERNMENT.

7. AMBASSADOR ASKED AND PRIME MINISTER AGREED THAT LATTER WOULD AGREE TO LISTEN SYMPATHETICALLY TO ANY SUGGESTIONS FROM EMBASSY ON CONSTITUTIONAL MATTER OF A WAY WITH RESPECT TO ACOR TO SAVE THE CURRENT LEASE. PRIME MINISTER ALSO UNDERTOOK TO RECONFIRM WITH MINISTRY OF JUSTICE THREE-MONTH EXTENSION OF LIMITED OFFICIAL USE

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STAY OF EXECUTION IN COURT ORDER AGAINST ACOR. PRIME MINISTER ALSO AGREED TO LISTEN SYMPATHETICALLY TO ANY OTHER FAIR MEANS OF HELPING OUT ACOR AND AMBASSADOR LEFT HIM WITH THE IMPRESSION THAT ACOR MIGHT SEEK JORDANIAN GOVERNMENT FINANCIAL ASSISTANCE TO COVER INCREASED COST OF ANY NEW LEASE THAT MIGHT HAVE TO BE CONCLUDED IN ORDER TO CONTINUE ITS OPERATIONS IN AMMAN.

PICKERING

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